

RESOLUTION AGREEMENT
Charlotte-Mecklenburg Schools
OCR Case No. 11-17-1385

Charlotte-Mecklenburg Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-17-1385. This Agreement does not constitute an admission by the District of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504) or Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

1. By March 30, 2018, after providing proper written notice to the Student's parent/guardian, the District will convene a group of persons knowledgeable about the Student, making all reasonable efforts to include the parent/guardian, with the purpose of determining if a plan for providing compensatory and/or remedial services to the Student is warranted for the time period the Student did not receive appropriate regular and/or special education or related services, from XXXX to XXXX. If it is determined the Student is entitled to compensatory and/or remedial services, the group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond six (6) months from the date the determination was made. The District will provide the Student's parent/guardian with notice of the procedural safeguards, including the right to challenge the group's determination through an impartial due process hearing.

Reporting Requirements:

- a. Within one week of the meeting, the District will submit to OCR a copy of the meeting minutes or similar documentation from the meeting, including an explanation for decisions made, a description of and schedule for providing compensatory and/or remedial services (if any) to the Student, the notice of procedural safeguards, the written invitation to the Student's parent/guardian, and a list of meeting attendees. OCR will review the documentation submitted to ensure that the District met the procedural and other requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36, in making these determinations.
 - b. Within 10 calendar days after receiving OCR's approval, the District will provide the Student's parent/guardian with written notice of the outcome of the meeting, including an explanation for decisions made and a description of and schedule for providing compensatory and/or remedial services (if any) to the Student. The District will provide a copy of this written notice to OCR.
 - c. Within one (1) month of the completion of any compensatory and/or remedial services (if any), the District will provide documentation to OCR of the dates, times, and locations that compensatory and/or remedial services were provided, a description of what was provided, and the name(s) of the service provider(s).
2. By March 30, 2018, the District will train all instructional staff and administrators at the School, the District's Section 504 Coordinator, and all staff on the District level that may

provide guidance to schools about Section 504, on the District’s Section 504 policy and procedures and the requirements of Section 504 and Title II. The training will emphasize the District’s obligations under Section 504 to identify and refer for evaluation all students who need or are believed to need regular or special education or related aids and services and that students who enroll at a District school with a Section 504 Plan from a previous school that is either in or outside of the District should automatically be evaluated for eligibility under Section 504, and during the interim, the student’s plan from the previous school should be implemented.

Reporting Requirements

- a. At least 30 days before the date on which the training is scheduled to be provided, the District will provide for OCR’s review and approval a copy of the training materials prepared for this provision, including the name(s), title(s), and qualifications of the trainer(s), and any handouts or presentations developed for this training; and a copy of the memorandum. Within 15 days of OCR’s approval of the training materials or by December 31, 2017, whichever is later, the District will complete the training.
- b. Within 10 days of the completion of the approved trainings, the District will provide OCR with documentation confirming completion of the training, including: (a) the date of each training session(s) and (b) a sign-in sheet including the list of names and titles of the District personnel who participated in each training session,

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this Agreement, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

By: _____/s/_____ Date: _____02/28/2018_____

Dr. Clayton M. Wilcox